

### REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on June 12, 2003, and the references cited therewith.

Claims 1, 6, 11, 16, 21-24, and 51-53 are amended, claims 54-63 are added; as a result, claims 1-25, 51-53, and 54-63 are now pending in this application.

#### *§103 Rejection of the Claims*

**Claims 1, 3-6, 8-9, 11, 13-16, and 18 were rejected under 35 USC § 103(a) as being unpatentable over Kunitomo et al. (U.S. 6,235,572) in view of Summerfelt et al. (U.S. 5,622,893).**

Independent claims 1, 6, 11, and 16 are amended. Claims 1, 6, 11, and 16, as amended, include elements that are not found in Kunitomo et al. and Summerfelt et al. Thus, claims 1, 6, 11, and 16, as amended, are patentable over Kunitomo et al. and Summerfelt et al. Accordingly, Applicant requests that the rejection of claims 1, 6, 11, and 16 be reconsidered and withdrawn and that claims 1, 6, 11, and 16 and dependent claims 3-5, 8-9, 13-15, and 18 be allowed.

**Claims 1-25 were rejected under 35 USC § 103(a) as being unpatentable over Lin et al. (U.S. 6,249,040) in view of Summerfelt et al. (U.S. 5,622,893).**

Independent claims 1, 6, 11, 16, 21-24 are amended. Claims 1, 6, 11, 16, 21-24, as amended, include elements that are not found in Lin et al. and Summerfelt et al. Thus, claims 1, 6, 11, 16, 21-24, as amended, are patentable over Lin et al. and Summerfelt et al. Accordingly, Applicant requests that the rejection of claims 1, 6, 11, 16, 21-24 be reconsidered and withdrawn and that claims 1, 6, 11, 16, 21-24 and their dependent claims be allowed.

Applicant believes that claim 25, as previously presented, is also patentable over Lin et al. and Summerfelt et al. because claim 25 includes elements "a first electrode having a substance that is selected from a group consisting of TiN, TiON, WN<sub>x</sub>, TaN, Ta, Pt, Pt-Rh, Pt-RhO<sub>x</sub>, Ru, RuO<sub>x</sub>, Ir, IrO<sub>x</sub>, Pt-Ru, Pt-RuO<sub>x</sub>, Pt-Ir, Pt-IrO<sub>x</sub>, SrRuO<sub>3</sub>, Au, Pd, Al, Mo, Ag, and Poly-Si", which are not found in Lin et al. and Summerfelt et al. Accordingly, Applicant requests that the rejection of claim 25 be reconsidered and withdrawn and that claim 25 be allowed.

**Claim 51 was rejected under 35 USC § 103(a) as being unpatentable over Kunitomo et al. (U.S. 6,235,572) in view of Summerfelt et al. (U.S. 5,622,893) and further in view of Kotectki et al. (U.S. 6,262,450).**

Claim 51 is amended. Claim 51, as amended, includes elements that are not found in Kunitomo et al., Summerfelt et al., and Kotectki et al. Thus, claim 51, as amended, is patentable over Kunitomo et al., Summerfelt et al., and Kotectki et al. Accordingly, Applicant requests that the rejection of claim 51 be reconsidered and withdrawn and that claim 51 be allowed.

**Claims 52 and 53 were rejected under 35 USC § 103(a) as being unpatentable over Cloud et al. (U.S. 5,815,427) in view of Kunitomo et al. (U.S. 6,235,572) and Summerfelt et al. (U.S. 5,622,893).**

Independent claims 52 and 53 are amended. Claims 52 and 53, as amended, include elements that are not found in Cloud et al., Kunitomo et al., and Summerfelt et al. Thus, claims 52 and 53, as amended, are patentable over Cloud et al., Kunitomo et al., and Summerfelt et al. Accordingly, Applicant requests that the rejection of claims 52 and 53 be reconsidered and withdrawn and that claims 52 and 53 be allowed.

#### New Claims

Claims 54-63 are added. Applicant believes that claims 54-63 are patentable over the cited references. Accordingly, Applicant requests that claims 54-63 be allowed.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

CEM BASCERI ET AL.

By their Representatives,

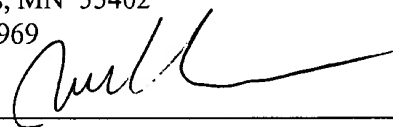
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 12 day of December, 2003

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